



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/524,134

02/11/2005

Scott Koenig

1301.0012C

1503

66522 7590 07/10/2008
EDELL, SHAPIRO & FINNAN, LLC
1901 RESEARCH BLVD.
SUITE 400
ROCKVILLE, MD 20850-3164

EXAMINER

DAHLE, CHUN WU

ART UNIT

PAPER NUMBER

1644

MAIL DATE

DELIVERY MODE

07/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/524,134	KOENIG ET AL.
	Examiner	Art Unit
	CHUN DAHLE	1644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 26 June 2008 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

/Maher M. Haddad/
Primary Examiner,
Art Unit 1644

Applicant's proposed amendment to the specification under 37 C.F.R. 1.312, filed on June 26, 2008, is disapproved for following reasons:

1) Applicant intends to amend the SEQUENCE LISTING appearing immediately after page 230 of the instant application. However, there is no page 230 found in the instant application.

2) Applicant asserts that the amendment is to correct a typographical error with respect to SEQ ID NO:9 on the Sequence Listing filed on October 10, 2006 with amino acid sequence "Gln Lys Phe Ser Arg Leu Asp Pro Thr". Applicant asserts that the "Arg" residue should be "His".

However, upon review of the Sequence Listing submitted on October 10, 2006, it is noted that SEQ ID NO:9 appears to have the correct amino acid sequence of "Gln Lys Phe Ser His Leu Asp Pro Thr" (see page 4 of the SEQUENCE LISTING filed on October 10, 2006). Therefore, SEQ ID NO:9 as filed does not appear to contain any error.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Dahle whose telephone number is 571-272-8142. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Eileen O'Hara can be reached 571-272-0878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chun Dahle, Ph.D. (formerly Chun Crowder)
Patent Examiner
July 7, 2008